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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,377	05/22/2001	Edward P. Daniels JR.	F-170	8688

919 7590 10/29/2003

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EXAMINER

LE, MIRANDA

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 10/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/862,377

Applicant(s)

DANIELS ET AL.

Examiner

Miranda Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Objections

1. Claims 1, 5, 7, 8, 9, 10 are objected to because of the following informalities: For purposes of consistency, the steps of all these claims should be changed to steps (a), (b), (c), (d), (e), (f), (g). Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless:

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Balma et al. (US Patent No. 6,157,945).

Balma anticipated independent claims 1, 5, 7, 8, 9, 10, by the following:

As per claim 1, Balma teaches "a method for locating a recipient of a message in a corporation using a computerized system comprising:

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“(a) compiling a database of a recipient's scheduled location, the recipient's delivery preference and the corporation's preference” at col. 1, lines 38-48, col. 2, lines 1-33, col. 4, lines 37-61, col. 7, lines 54-67, col. 8, line 1 to col. 9, line 11;

“(b) providing access to recipient's location and delivery preference database of (a)” col. 1, lines 38-48, col. 2, lines 1-33, col. 4, lines 37-61, col. 11, lines 29-46;

“(c) updating the recipient's scheduled location and/or delivery preference” at col. 2, lines 26-52, col. 10, lines 36-58;

“(d) allowing access to updated schedule and delivery preference to facilitate delivery of message to recipient at updated scheduled location” at col. 2, lines 26-52, col. 10, lines 9-36, col. 9, lines 29-46.

As per claim 5, Balma teaches “a method for locating a recipient of a message in a corporation using a computerized system comprising:

(a) compiling a database of an recipient's scheduled location, the recipient's delivery preference and the corporation's preference” at col. 8, line 9 to col. 9, line 11;

(b) providing access to recipient's location and delivery preference database of (a)” at col. 1, lines 38-48, col. 2, lines 1-33, col. 11, lines 29-46, col. 4, lines 37-61;

(c) providing access to corporate schedule organizer” at col. 11, lines 29-45, col. 9, lines 29-46, col. 2, lines 1-14;

(d) updating recipient's scheduled location in corporate schedule organizer” at col. 10, lines 9-58;

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(e) monitoring corporate schedule organizer for location change in the recipient's schedule" at col. 9, line 29 to col. 10, line 58;

(f) updating recipient's scheduled location according to location changes monitored in (e)" at col. 10, lines 36-58;

(g) allowing access to updated schedule to facilitate delivery of message to recipient at updated scheduled location" at col. 2, lines 26-52, col. 9, lines 29-46, col. 10, lines 9-36.

As per claim 7, Balma teaches "A method for locating a recipient of a message in a corporation using a computerized system comprising:

"(a) compiling a database of a recipient's scheduled location, the recipient's delivery preference and the corporation's preference" at col. 8, line 9 to col. 9, line 11;

"(b) providing access to recipient's location and delivery preference database of (a)" at col. 2, lines 1-14, col. 9, lines 24-26, col. 11, lines 29-45;

"(c) updating the recipient's scheduled location and/or delivery preference" at col. 2, lines 26-52, col. 10, lines 38-58;

"(d) setting priority of conflicting corporate and recipient preference" at col. 15, lines 11-28, Fig. 5;

"(e) allowing access to updated schedules and delivery preferences to facilitate delivery of message to recipient at updated scheduled location" at col. 2, lines 26-52, col. 9, lines 29-46, col. 10, lines 9-36.

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As per claim 8, Balma teaches “A computer based system for locating a recipient of a message in a corporation using a computerized system comprising:

“(a) a component for compiling a database of an recipient's scheduled locations, the entities delivery preference and the corporation's preference” at col. 8, line 9 to col. 9, line 11;

“(b) a database containing the recipient's scheduled location, the entities delivery preference and the corporation's preference” at col. 10, lines 9-36;

“(c) a component for providing access to recipient's location and delivery preference in database (b)” at col. 10, lines 9-36, col. 11, lines 29-45;

“(d) a component for updating the recipient's scheduled location and/or delivery preference” at col. 10, lines 9-58, col. 11, lines 46-67;

“(e) a component for allowing access to updated schedule and delivery preference to facilitate delivery of message to recipient at updated scheduled location” at col. 10, lines 9-58, col. 11, lines 46-67.

As per claim 9, Balma teaches “a computer based system for locating a recipient of a message in a corporation using a computerized system comprising:

“(a) a component for compiling a database of an recipient's scheduled location, the recipient's delivery preference and the corporation's preference” at col. 8, line 9 to col. 9, line 11;

“(b) a database containing the recipient's scheduled location, the entities delivery preference and the corporation's preference” at col. 10, lines 9-36;

“(c) a component for providing access to the database of (b)” at col. 10, lines 9-36, col. 11, lines 29-46;

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“(d) a component for providing access to corporate schedule organizer” at col. 10, lines 9-36, col. 11, lines 29-46, col. 2, lines 26-52;

“(e) a corporate schedule organizer” at col. 9, line 29 to col. 10, line 8;

“(f) a component for updating recipient's scheduled location in corporate schedule organizer” at col. 10, lines 11-58;

“(g) a component for monitoring corporate schedule organizer for location change in the recipients schedule and updating database (b) with schedule location change” at col. 10, lines 11-58, col. 11, lines 46-67;

“(h) a component for allowing access to updated schedule(s) to facilitate delivery of message to recipient at updated scheduled location” at col. 10, lines 11-58, col. 11, lines 46-67.

As per claim 10, Balma teaches “A computer based system for locating a recipient of a message in a corporation using a computerized system comprising:

“(a) a component for compiling a database of a recipient's scheduled locations, the recipient's delivery preference and a corporation's preference” at col. 8, line 9 to col. 9, line 11;

“(b) a database containing recipient's scheduled locations, the recipient's delivery preference and the corporation's preference compiled in (a)” at col. 10, lines 9-58;

“(c) a component for providing access to recipient's location and delivery preference database (b)” at col. 10, lines 9-58;

“(d) a component for updating the recipient's scheduled location and/or delivery preference” at col. 10, lines 11-58;

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“(e) a component for setting hierarchy of conflicting corporate and recipient preference”
at col. 10, lines 9-36;

“a component for allowing access to updated schedules and delivery preference to
facilitate delivery of message to recipient at updated scheduled location” at col. 10, lines 11-58,
col. 11, lines 46-67.

As to claims 2, 6, Balma teaches “the recipient update's the recipients scheduled location
and/or delivery preference in step (c)” at col. 10, lines 9-58.

As per claim 3, Balma teaches “the access in step (b) is via a computer based network”
at col. 3, lines 43-64, col. 4, lines 6-36, Fig. 1.

As per claim 4, Balma teaches “the access in step (b) is via the Telephone” at col. 6,
lines 6-26, Fig. 2.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (703) 305-3203. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax number to this Art Unit is (703) 872-9306. The TC 2100's Customer Service number is (703) 306-5631.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

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Miranda Le

October 1, 2003



GRETA ROBINSON
PRIMARY EXAMINER

10/14/03